

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CLIFFORD BONNER, el.

#208359

Plaintiff,

VS.

J. C. GILES, et. al.,

Defendants.

CIVIL ACTION NO. 02-CV-409F

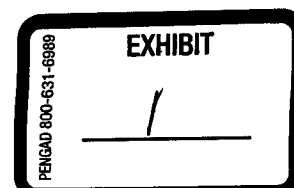
AFFIDAVIT

Before me, the undersigned authority, a Notary Public in and for said County and State of Alabama at Large, personally appeared one J. C. Giles, who being known to me and by me first duly sworn, deposes and says on oath as follows:

My name is J. C. Giles, and I am presently employed as a Warden III, with the Alabama Department of Corrections at the Ventress Correctional Facility in Clayton, Alabama.

Plaintiff, Clifford Bonner, #208359 alleges that I was supportive of the alleged assault on him on April 12, 2005 by Lt. John Dowling.

My investigation revealed that inmate Clifford Bonner, #208359 became very insubordinate to Lt. John Dowling when given an order to calm down. Inmate Bonner then began to cuss and yell louder raising his arms and hands aggressively forcing Lt. Dowling to use the necessary force to subdue inmate



Page 2

Affidavit – J. C. Giles

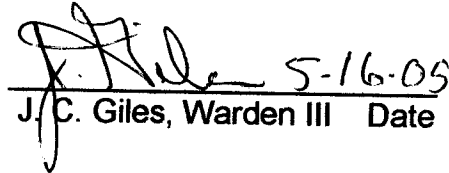
Bonner until he could be handcuffed. Inmate Clifford Bonner, #208359 was allegedly upset because he was going to be placed in Administrative Segregation and possibly transferred due to an enemy situation here at Ventress.

Attached are copies of the incident report and body chart done on this incident.

(See Exhibit A)

At no time was I or will I be supportive of any unjustifiable use of force on any inmate or staff.

The above-related facts are the entirety of my involvement with inmate Clifford Bonner, #208359 regarding these allegations. I deny that I have violated any of his constitutional rights.


J. C. Giles, Warden III Date 5-16-05

STATE OF ALABAMA)

BARBOUR COUNTY)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 16th DAY OF May,
2005.


NOTARY PUBLIC

MY COMMISSION EXPIRES: 9-8-08

AFFIDAVIT

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STATE OF ALABAMA

I, Reba T. Currie, hereby certify and affirm that I am a ASAILI, at Ventress Correctional Facility; that I am one of the custodian of records at this institution; that the attached documents are true, exact, and correct photocopies of certain documents maintained here in the institutional files; and that I am over the age of twenty-one years and am competent to testify to the aforesaid documents and matters stated therein.

I, further certify and affirm that said documents on Clifford Bonner #208359 are maintained in the usual and ordinary course of business at the Ventress Correctional Facility; and that said documents were made at, or reasonably near the time that the transactions referred to therein are said to have occurred.

This, I do hereby certify and affirm to on this the 17th day of May, 2005.

Reba T. Currie

SWORN TO AND SUBSCRIBED BEFORE ME THIS 17th DAY OF May, 2005.

Carolyn W. Daniels
Notary Public

My Commission Expires: 04/06/06

STATE OF ALABAMA
BOARD OF CORRECTIONS
INSTITUTIONAL INCIDENT REPORT

1. Institution: Ventress Correctional Facility	2. Date: 4/12/05	3 Time: 1:05 p.m.	4. Incident Number:
5. Location Where Incident Occurred Dorm 10 Lobby		6. Type of Incident: Violation of Rule #44 - Threats	
7. Time Incident Reported: 1:08 p.m.		8. Who Received Report: J. C. Giles, Warden III	
9 Victim:			
a. n/a (type full name)		No. _____	
b. _____ (type full name)		No. _____	
10. Suspects:			
a. Clifford Bonner No. #208359		11. Witnesses: a. N/A No. _____	
b. _____ No. _____		b. _____ No. _____	
c. _____ No. _____		c. _____ No. _____	
d. _____ No. _____		d. _____ No. _____	
e. _____ No. _____		e. _____ No. _____	
		f. _____ No. _____	
		g. _____ No. _____	
Physical Evidence: _____			
12. Type of Evidence: N/A			
13. Description of Evidence: N/A			
14. Chain of Evidence: N/A			
a. _____			
b. _____			
c. _____			
d. _____			
15. Narrative Summary:			
<p>On April 12, 2005 at approximately 1:05 p.m., Lt. John S. Dowling entered 10 dorm lobby area. Inmate Clifford Bonner, #208359 began staring at Lt. Dowling. Lt. Dowling asked inmate Bonner about his behavior, inmate Bonner stated, "What do you mean, why you fucking with me?" Lt. Dowling began to reprimand Inmate Bonner on his behavior. Inmate Bonner picked up some laundry bags and started to walk off. Lt. Dowling ordered inmate Bonner to stop and enter room #808 (small office). Lt. Dowling attempted to reprimand Inmate Bonner again, when inmate Bonner began to yell, "What you want me to do?" raising his hands and arms in a wild manner. Lt. Dowling ordered inmate Bonner to stop raising his hands and arms. Inmate Bonner got louder and continued to raise his hands and arms. Lt. Dowling placed his hands on inmate Bonners' chest</p>			

Distribution: Original to I & I Division
Copy to Institutional File
Copy to Central Records File

ADOC Form 601 Revised 4-6-99

Annex A (Page 1 of 2)

CONTINUATION SHEET

Institution:

Incident Number:

Ventress Correctional Facility

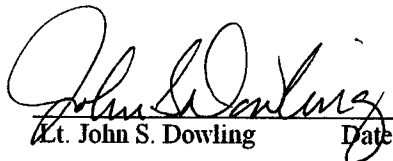
Date:

Type of Incident:

April 12, 2005Violation of Rule #44 - ThreatsNarrative Summary (Continued) Page No. 2 of 2

and face and pushed inmate Bonner against the wall. Officer Larry Thomas and Officer Jimmy Rumph entered and placed handcuffs on inmate Bonner. Inmate Bonner was escorted to HCU by Officer Aaron Patterson and Officer Jimmy Rumph at approximately 1:15 p.m. where Nurse Frances Smith treated and completed a body chart on inmate Bonner. Warden J. C. Giles was notified at approximately 1:08 p.m. Inmate Bonner was placed in Holding Cell #105 by Officers' Cargle and Patterson.

No force was used except that was necessary to prevent Lt. Dowling from being assaulted. No disciplinary action taken per Warden J.C. Giles due to transfer. Inmate Bonner and another inmate are being transferred for security reasons. This is for information and classification purposes.

 COSI 4-13-2005
 Lt. John S. Dowling Date



PRISON
HEALTH
SERVICES
INCORPORATED

EMERGENCY

Ventress

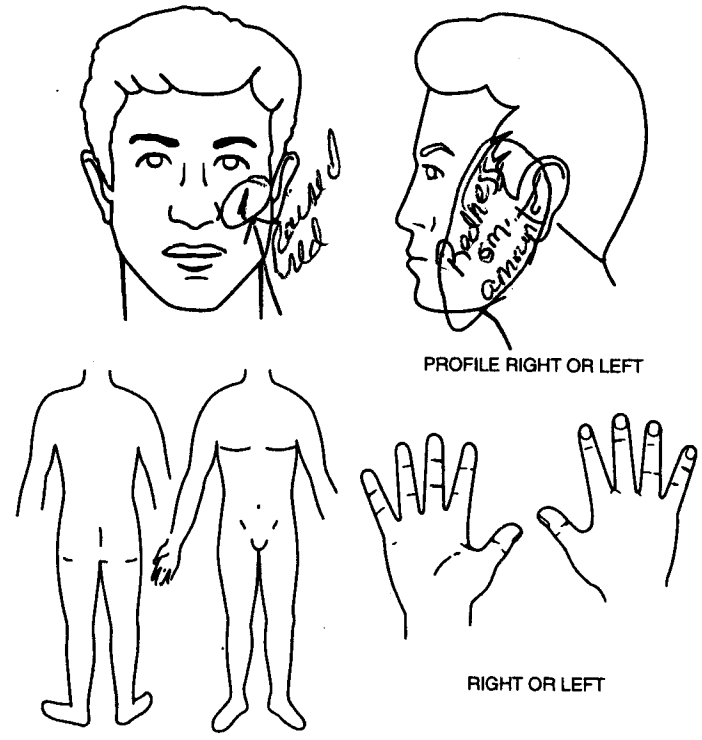
ADMISSION DATE 4/12/05	TIME 1320 AM PM	ORIGINATING FACILITY <input type="checkbox"/> SIR <input type="checkbox"/> PDL <input type="checkbox"/> ESCAPEE <input type="checkbox"/>	<input type="checkbox"/> SICK CALL <input type="checkbox"/> EMERGENCY <input type="checkbox"/> OUTPATIENT
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ALLERGIES Keflex	WT. 283 1/2	CONDITION ON ADMISSION <input checked="" type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR <input type="checkbox"/> SHOCK <input type="checkbox"/> HEMORRHAGE <input type="checkbox"/> COMA
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VITAL SIGNS: TEMP 98.8	ORAL RECTAL	RESP. 18	PULSE 84	B/P 124/86	RECHECK IF SYSTOLIC <100> 50
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NATURE OF INJURY OR ILLNESS
*I - no medical complaints
voiced at this time.*

ABRASION ///	CONTUSION #	BURN xx xx	FRACTURE Z Z	LACERATION / SUTURES
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PHYSICAL EXAMINATION
*O - B/m escorted to HCU. A&O
x3. Skin warm & dry to
touch. Respirations even
& unlabored. Small amount
redness to (L) side of face & ear
present. Raised red area approx
1 in. noted to (L) side of face
near (L) eye.*

A - Doc Body chart

ORDERS / MEDICATIONS / IV FLUIDS	TIME	BY
<i>Pulse pack to (L) side of face.</i>		

DIAGNOSIS

INSTRUCTIONS TO PATIENT <i>P - Sick call PRN</i>

DISCHARGE DATE 4/13/05	TIME 1345 AM PM	RELEASE / TRANSFERRED TO <input checked="" type="checkbox"/> DOC <input type="checkbox"/> AMBULANCE <input type="checkbox"/>	CONDITION ON DISCHARGE <input checked="" type="checkbox"/> SATISFACTORY <input type="checkbox"/> POOR <input type="checkbox"/> FAIR <input type="checkbox"/> CRITICAL
NURSE'S SIGNATURE <i>J. Smith</i>	DATE	PHYSICIAN'S SIGNATURE	DATE
CONSULTATION			

INMATE NAME (LAST, FIRST, MIDDLE) Bonner, Clifford	DOC# 208359	DOB 2/19/69	R/S B/m	FAC. VCF
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